



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/772,129	01/29/2001	Juha Tuomo Tervo	473-010116-US(PAR)	9569

7590 12/15/2003
Clarence A. Green
PERMAN & GREEN, LLP
425 Post Road
Fairfield, CT 06430

EXAMINER

PEREZ GUTIERREZ, RAFAEL

ART UNIT	PAPER NUMBER
----------	--------------

2686

DATE MAILED: 12/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/772,129

Applicant(s)

Tervo et al.

Examiner

Rafael Perez-Gutierrez

Art Unit

2686



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jan 29, 2001
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 6 and 7 6) ☐ Other:

Art Unit: 2686

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statements submitted on January 29, 2001 and July 11, 2002 have been considered by the Examiner and made of record in the application file.

Preliminary Amendment

3. The present Office Action is based upon the original patent application filed on January 29, 2001 as modified by the preliminary amendment also filed on January 29, 2001. **Claims 1-16** are now pending in the present application.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office Action:

Art Unit: 2686

A person shall be entitled to a patent unless -- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by **Booth (WO 98/54682)**.

Consider **claims 1, 13 and 14**, Booth clearly shows and discloses mobile station 162 (figure 36), a mobile radio network, and a method for determining movement data of the mobile station which is associated with the mobile radio network and in which, for a plurality of cell sites (base stations) (page 51 table 14) which are associated with the mobile radio network and which successively supply the mobile station as it moves, at least the location information which is associated with the cell sites (base stations) is stored at a map database 1102 (central station) and the movement data is derived from a sequence of stored location information (page 4 lines 19-22, page 7 lines 25-28, page 8 lines 25-27, page 9 lines 18-28, page 15 lines 15-28, page 31 lines 15-22, page 34 line 4 - page 35 line 8, and page 43 lines 16-23).

Consider **claim 2**, and **as applied to claim 1 above**, Booth further shows and discloses that a cell site ID (code number of a radio cell) which is associated with a respective cell site (base station) s stored as location information (page 34 line 27 - page 35 line 8 and page 51 table 14).

Consider **claim 3**, and **as applied to claim 1 above**, Booth also shows and discloses that the geographic coordinates (X, Y) of a respective cell site (base station) are stored as location information (page 37 lines 10-16 and page 51 table 52).

Art Unit: 2686

Consider **claim 4**, and **as applied to claim 1 above**, Booth further discloses that the time at which the mobile station is supplied from a respective cell site (base station) from among the cell sites (base stations) is stored (page 15 lines 13-22).

Consider **claims 5 and 6**, and **as applied to claim 1 above**, Booth also discloses that a direction of movement of the mobile station is determined as movement data from the stored sequence of location information (page 31 lines 15-28 and page 35 lines 3-24).

Consider **claim 7**, and **as applied to claim 6 above**, Booth further discloses that the stored sequence of location information is used to determine coordinates of a road which constitute movement data (page 31 lines 15-28 and page 35 lines 3-24).

Consider **claims 8, 9, and 12**, and **as applied to claims 1 and 4 above**, Booth also shows and discloses that a velocity of the mobile station is determined as movement data (travel time calculation) from the stored sequence of location information and the times at which the mobile station has been supplied by the respective cell sites (base stations) where the location information, the times and the movement data are stored separately from the mobile station in the map database (memory) (figures 14-18 and pages 47-51 tables 4-10, 14, and 15) .

Consider **claims 10, 11, 15, and 16**, and **as applied to claims 1 and 14 above**, Booth further discloses that the location information is stored in a memory of the mobile station and that the location information is transmitted to a service provider when necessary (page 43 lines 16-23).

Art Unit: 2686

Conclusion

5. Any response to this Office Action should be **faxed to (703) 872-9306 or mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Hand-delivered responses should be brought to

Crystal Park II
2021 Crystal Drive
Arlington, VA 22202
Sixth Floor (Receptionist)

6. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Rafael Perez-Gutierrez whose telephone number is (703) 308-8996. The Examiner can normally be reached on Monday-Thursday from 6:30am to 5:00pm.

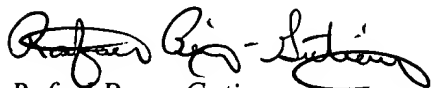
If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Marsha D. Banks-Harold can be reached on (703) 305-4379. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700 or call customer service at (703) 306-0377.

Application/Control Number: 09/772,129

Page 6

Art Unit: 2686

A handwritten signature in black ink, appearing to read 'Rafael Perez-Gutierrez', with a stylized flourish at the end.

Rafael Perez-Gutierrez

R.P.G./rpg **RAFAEL PEREZ-GUTIERREZ**
PATENT EXAMINER

December 10, 2003